

MYRON STUART	§	
v.	§	CIVIL ACTION NO. 5:15cv105
SHERIFF JAMES PRINCE, ET AL.	§	

The Plaintiff Myron Stuart, proceeding *pro se*, filed this civil action complaining of alleged violations of his constitutional rights. This Court ordered the matter referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

Plaintiff complained of damage to his reputation resulting from his arrest and conviction, false arrest and imprisonment, and being arrested on other charges which were later dropped. After review of the pleadings, the Magistrate Judge issued a Report recommending the lawsuit be dismissed with prejudice.

A copy of this Report was sent to Plaintiff at his last known address, return receipt requested, but no objections have been received; accordingly, he is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. Douglass v. United Services Automobile Association, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined the Report of the Magistrate Judge is correct. *See*

United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law"). It is accordingly

**ORDERED** the Report of the Magistrate Judge (docket no. 10) is **ADOPTED** as the opinion of the District Court. It is further

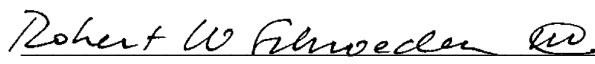
**ORDERED** the Plaintiff's claims of false arrest and false imprisonment are **DISMISSED WITH PREJUDICE** to their being asserted again until such time as the Plaintiff shows his conviction or sentence has been reversed on direct appeal, expunged by executive order, declared invalid by an authorized state tribunal, or called into question by a federal court's issuance of a writ of habeas corpus. It is further

**ORDERED** the Plaintiff's claims concerning the alleged damage to his reputation, character, or credibility, and his claims regarding the charges on which he was arrested but not prosecuted or convicted, are **DISMISSED WITH PREJUDICE** for purposes of proceeding *in forma pauperis* as frivolous and for failure to state a claim upon which relief may be granted. It is further

**ORDERED** the Clerk shall send a copy of this Memorandum Opinion to the Administrator of the Three Strikes List for the Eastern District of Texas. Finally, it is

**ORDERED** that any and all motions which may be pending in this action are hereby **DENIED**.

**SIGNED this 15th day of March, 2016.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE